

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08	TOMMY OWEN HARTZ,)	CASE NO.	C08-0362-TSZ-MAT
)		(CR02-157-TSZ)
09	Petitioner,)		
)		
10	v.)	ORDER GRANTING PETITIONER'S	
)	MOTION FOR EXTENSION OF TIME	
11	UNITED STATES OF AMERICA,)		
)		
12	Respondent.)		
	_____)		

14 This is an action brought under 28 U.S.C. § 2255. On April 21, 2008, this Court issued
15 an Order directing petitioner to clarify his § 2255 motion within thirty days. On May 30, 2008,
16 petitioner filed a letter in response to this Court's Order. He indicates therein that the facility at
17 which he is incarcerated is in "lockdown" status, that he did not become aware of this Court's
18 Order until May 16, 2008, and that "equitable tolling" entitles him to more time to complete his
19 § 2255 motion. The Court construes petitioner's letter as a motion for extension of time and
20 ORDERS as follows:

21 (1) Petitioner's motion for extension of time (Dkt. No. 9) is GRANTED. Petitioner
22 is granted an additional *sixty (60) days* within which to file his clarified § 2255 motion and any

01 memorandum in support thereof.

02 (2) Petitioner's failure to timely file his clarified § 2255 motion will result in a
03 recommendation that this action be dismissed. Petitioner is advised that no further extensions of
04 time will be granted.

05 (3) The Clerk shall send copies of this Order to petitioner and to the Honorable
06 Thomas S. Zilly.

07 DATED this 18th day of June, 2008.

08 
09 Mary Alice Theiler
10 United States Magistrate Judge
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